

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KRISTINA BOGLE,

Plaintiff,

v.

CITY OF PHILADELPHIA,

Defendant.

**CIVIL ACTION
NO. 15-00394**

ORDER

AND NOW, this 9th day of July, 2015, upon consideration of Defendant City of Philadelphia's Partial Motion to Dismiss, (ECF No. 3), and Plaintiff Kristina Bogle's response in opposition, (ECF No. 4), it is **ORDERED** that the Motion is **GRANTED**. It is further **ORDERED** that:

1. Plaintiff's hostile work environment claims based on Sergeant Bayard's alleged misconduct in Counts I and III are dismissed with prejudice.
2. Plaintiff's retaliation claim based on Sergeant Bayard's alleged misconduct in Count II is dismissed with prejudice.
3. Plaintiff's retaliation/constructive discharge claim in Count II based on her January 8, 2015 constructive discharge is dismissed without prejudice.
4. Plaintiff's intentional infliction of emotional distress claim in Count V is dismissed without prejudice. Plaintiff is granted leave to amend her complaint with respect to her IIED claim on or before July 23, 2015.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.